

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. CR01-0337-JCC-001-JPD
v.)
DARYL JOHN CHRISTIAN,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on May 5, 2006. The United States was represented by Assistant United States Attorney Susan Harrison, and the defendant by Mr. Jay Stansell. The proceedings were recorded on cassette tape

The defendant had been charged and convicted of Possession of Document-Making Implement, Identification Fraud, and Felon in Possession of a Firearm. On or about May 31, 2002, defendant was sentenced by the Honorable John C. Coughenour to a term of forty-six (46) months in custody, followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse treatment participation, consenting to search and seizure, no new credit to be obtained, no possession of firearms, no identification other than in defendant's true and legal name, submission to computer inspection by probation officer, disclosure of all computer software owned, operated, or purchased employment

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE
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01 | restrictions, and disclosure of all assets and liabilities.

02 In a Petition for Warrant or Summons, dated April 4, 2006, U.S. Probation Officer Brian
03 H. Rogers asserted the following violations by defendant of the conditions of his supervised
04 release:

05 (1) Using oxycodone on or about January 27, 2006, in violation of standard condition
06 No. 7 and the mandatory condition that he refrain from any unlawful use of a controlled
07 substance.

08 (2) Using morphine on or about February 21, March 14, and March 22, 2006, in
09 violation of standard condition No. 7 and the mandatory condition that he refrain from any
10 unlawful use of a controlled substance.

11 (3) Using marijuana on or about March 14 and March 22, 2006, in violation of
12 standard condition No. 7 and the mandatory condition that he refrain from any unlawful use of
13 a controlled substance.

14 The defendant was advised of his rights, admitted to alleged violations numbers 1, 2, and
15 3, and waived any rights to an evidentiary hearing as to whether they occurred.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations numbers 1, 2, and 3, and that the Court conduct a hearing limited to disposition. A disposition hearing on these violations has been set before the Honorable John C. Coughenour on Friday, May 26, 2006, at 9:00 a.m.

Pending a final determination by the Court, the defendant has been released to the half-way house in which he was residing, subject to continued supervision.

22 DATED this 5th day of May, 2006.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

01 cc: District Judge: Honorable John C. Coughenour
02 AUSA: Ms. Susan Harrison
03 Defendant's attorney: Mr. Jay Stansell
04 Probation officer: Mr. Brian Rogers
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